

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHARLES EUGENE MOORE,)
AIS #297332,)
)
Plaintiff,)
)
v.) CASE NO. 2:19-CV-693-WKW
) [WO]
R. LEWIS, B. DANIELS, B.)
WILLIAMS C. BRYANT,)
MR. GILLIAM, and KARLA)
JONES,)
)
Defendants.)

ORDER

On June 17, 2022, the Magistrate Judge filed a Recommendation. (Doc. # 37.)

Both Plaintiff and Defendants have filed objections to the Recommendation. (Doc. # 38–39.) Based upon a *de novo* review of the record, *see* 28 U.S.C. § 636, it is ORDERED as follows:

(1) Defendants’ conclusory “general objections” (Doc. # 38, at 1) are OVERRULED. (*See* Doc. # 37, at 16 (“Any objections filed must specifically identify the factual findings and legal conclusions in the Magistrate Judge’s Recommendation to which the parties object. Frivolous, conclusive [sic] or general objections will not be considered by the District Court.”).)

(2) Defendants' "specific objections" (Doc. # 38, at 1–2) are OVERRULED; however, at trial, Defendants will be able to make their arguments and submit evidence in their defense within the confines of the Federal Rules of Evidence.

(3) Plaintiff's objections (Doc. # 39) are OVERRULED.

(4) The Recommendation (Doc. # 37) is ADOPTED.

(5) Defendants' motion for summary judgment (Doc. # 20) is GRANTED as to Plaintiff's claims for monetary damages against Defendants in their official capacities.

(6) Defendants' motion for summary judgment (Doc. # 20) is GRANTED as to Plaintiff's claims of conspiracy and retaliation against Defendants in their individual capacities.

(7) Defendants' motion for summary judgment (Doc. # 20) is DENIED as to Plaintiff's claim of excessive force against Defendant Lewis, Daniels, Williams, Bryant, and Gilliam in their individual capacities.

(8) The Clerk of the Court is DIRECTED to terminate Defendant Warden Jones as a party.

(9) This case will be set for a jury trial by a separate order.

DONE this 11th day of August, 2022.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE